

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

ANGELA DENISE NAILS, )  
                          )  
Plaintiff,             )  
                          )  
v.                     ) CIVIL ACTION NO. 1:06CV250-MEF  
                          ) (WO)  
RUBY BEAVERS,         )  
                          )  
Defendant.            )

**ORDER**

On March 17, 2006, plaintiff filed a motion for leave to proceed *in forma pauperis* in this action. By statute, this court is authorized to allow the commencement of this action without prepayment of fees, provided the plaintiff files an affidavit including all assets she possesses and stating that she is unable to pay such fees or give security therefor. 28 U.S.C. § 1915(a)(1). Plaintiff has filed a statement regarding her assets, but the statement is neither a notarized affidavit nor a *dated* declaration under penalty of perjury pursuant to 28 U.S.C. § 1746. Plaintiff's statement does not meet the requirements of the statute.

Accordingly, the motion to proceed *in forma pauperis* is DENIED. Upon filing an affidavit or declaration in compliance with the statute, plaintiff may renew her motion. Plaintiff is advised that if she fails either to renew her motion with a proper affidavit or declaration or to pay the filing fee on or before **April 10, 2006**, this action may be dismissed.

DONE, this 27<sup>th</sup> day of March, 2006.

/s/ Susan Russ Walker  
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SUSAN RUSS WALKER  
UNITED STATES MAGISTRATE JUDGE